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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,669	08/07/2003	Lewis K. Cirne	P1954C-944	8894
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EXAMINER				
LIN, WEN TAI				
ART UNIT		PAPER NUMBER		
2454				
NOTIFICATION DATE		DELIVERY MODE		
03/02/2010		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com
offserv@bipc.com

Office Action Summary

Application No.

10/635,669

Applicant(s)

CIRNE ET AL.

Examiner

Wen-Tai Lin

Art Unit

2454

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13-23, 25-27, 29-31, 33-38, 40-41, 43, 45-48, 50-53, 55-56, 58 and 60-65 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-840)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Continuation of Disposition of Claims: Claims pending in the application are 1-11,13-23,25-27,29-31,33-38,40,41,43,45-48,50-53,55,56,58 and 60-65.

DETAILED ACTION

1. Claims 1-11, 13-23, 25-27, 29-31, 33-38, 40-41, 43, 45-48, 50-53, 55-56, 58 and 60-65 are presented for examination.
2. Claims 2-11, 14-23, 26-27, 30-31, 34-35, 37-38, 40, 46-48, 51-52 are objected to because it is unclear whether the claimed subject matter in these dependent claims are the same of that of their parent claims or not. This is due to the fact that all the claim languages start with indefinite terms "A" or "An". To avoid confusion as such, Applicant is recommended to replace "A" or "An" with "The" so as to indicate that the further claimed features are added to the features inherited from the respective parent claims.
3. The text of those sections of Title 35, USC code not included in this action can be found in the prior Office Action.

Claim Rejections – 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 1-11, 29-31, 36-38, 40-41, 45-48, 55-56, 58 and 60-61 are rejected under 35 U.S.C. 101 as not falling within one of the four statutory categories of invention. While the claims recite a series of steps or acts to be performed, a statutory “process” under 35 U.S.C. 101 must (1) be tied to particular machine, or (2) transform underlying subject matter (such as an article or material) to a different state or thing. See page 10 of In Re Bilski 88 USPQ2d 1385. The instant claims are neither positively tied to a particular machine that accomplishes the claimed method steps nor transform underlying subject matter, and therefore do not qualify as a statutory process. The method steps is broad enough that the claim could be completely performed mentally, verbally or without a machine nor is any transformation apparent. To overcome the 101 rejection, Applicant is recommended to replace the word “comprising” in the preamble of claim 1 with “comprising the following computer-implemented steps”.

Claim Rejections - 35 USC § 102

5. Claims 1-11, 13-23, 25-27, 29-31, 33-38, 40-41, 43, 45-48, 50-53, 55-56, 58 and 60-65 are rejected under 35 U.S.C. 102(e) as being anticipated by Hao et al. [U.S. Pat. No. 5844553].

6. As to claim 1, Hao discloses a method for routing an event to a human interface object in a computer system [e.g., Abstract; col. 4, lines 16-32 and 48-56], said method comprising:

assigning a routing type to an event [e.g., Figs. 3B-3C, wherein the routing types of Fig. 3B can be categorized as broadcast type (i.e., multicast events), focus type (keyboard events), and (geometrical type (button press/release and mouse click events))];

receiving an event specifying an assigned routing type [e.g., Fig. 3C; col.7, line 53 – col. 8,

line 10];

determining a routing mechanism of the received event based on the specified routing type [e.g., Fig. 6; col. 6, line 51 – col. 7, line 4; col. 9, lines 23-45; e.g., multicast events are based on the shared window data array to determined how an event is shared among different applications]; and

routing the event to a human interface object based on the determined routing mechanism for the event [e.g., col. 8, lines 4-10].

7. As to claim 2, Hao discloses a method as defined in claim 1 wherein said routing type is a member of a set including a first routing type that is routed based on geometric coordinates of an event and a second routing type that is routed based on an input focus [note that focus type and geometrical type are inherent attribute of keyboard events and mouse click/moving events, respectively].

8. As to claim 3, Hao discloses a method as defined in claim 2 wherein the set further includes a third routing type that is broadcast to a plurality of interface objects [note that a multicast even is equivalent a broadcast event when the event is mapping to all active applications in Hao's system].

9. As to claims 4-5, Hao discloses a method as defined in claim 1 wherein the routing type is one of an extensible plurality of routing types, wherein routing types can be added to said plurality [e.g., Figs. 3A and 6; col. 9, lines 23-45; i.e., different types of routings such as sharing

events with any specified number of applications can be configured by constructing the shared window data array differently].

10. As to claims 6-7, Hao discloses a method as defined in claim 1 wherein one or more clients can register interest in an event such that when the event is received, the event is sent to each client which registered interest [e.g., col. 7, lines 45-52; Fig. 4; i.e., a user may choose to share or unshared the events by moving the pointer (mouse) into or away shared windows].

11. As to claims 8-9, Hao discloses a method as defined in claim 6 wherein an indication as to interest is maintained for each event and is updated when a client registers and unregisters interest in the event [e.g., col. 6, lines 17-35; note that the window numbers “n” is dynamically changed for events coming out of each private window. Therefore “n” is an indicator representing the number of applications the event is being shared].

12. As to claims 10-11, Hao discloses a method as defined in claim 8 wherein said indication as to interest is maintained by adding an event to a handler table [e.g., col. 6, lines 36-50; note that the Inter-Access Resource Table is equivalent to the handler table here, which contains the structure of the shared window data array].

13. As to claims 60-61, Hao further teaches that wherein said human interface object comprises an element of a graphical user interface that is displayed on a display device, wherein said human interface object comprises one of a window, panel, editable text, push button, list box and radio button [e.g., Fig. 3A; col. 7, lines 12-29; col. 8, lines 4-10].

14. As to claims 13-23, 25-27, 29-31, 33-38, 40-41, 43, 45-48, 50-53, 55-56, 58 and 62-65, since the features of these claims can also be found in claims 1-11 and 60-61, they are rejected for the same reasons set forth in the rejection of claims 1-11 and 60-61 above.

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Judge et al. U.S. Pat. No. 6401138.

Conclusion

Examiner note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the contest of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen-Tai Lin whose telephone number is (571)272-3969. The examiner can normally be reached on Monday-Friday(8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on (571) 272-1915. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(571) 273-8300 for official communications; and

(571) 273-3969 for status inquires draft communication.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wen-Tai Lin

February 25, 2010

/Wen-Tai Lin/

Primary Examiner, Art Unit 2454